

L. KIERAN KIECKHEFER
kkieckhefer@mwe.com
McDERMOTT WILL & EMERY LLP
275 Middlefield Road, Suite 100
Menlo Park, CA 94025-4004
Telephone: +1-650-815-7400
Facsimile: +1-650-815-7401

JOHN J. DABNEY (*pro hac vice* application pending)
jdabney@mwe.com
MARY D. HALLERMAN (*pro hac vice* application pending)
mhallerman@mwe.com
McDERMOTT WILL & EMERY LLP
500 North Capitol Street NW
Washington, D.C. 20001
Telephone: +202-756-8000
Facsimile: +202-756-8087

Attorneys for Defendant
HANCOM, INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ARTIFEX SOFTWARE, INC.,

Plaintiff,

v.

HANCOM, INC.,

Defendant.

CASE NO. 3:16-cv-06982-JSC

**[PROPOSED] ORDER GRANTING
DEFENDANT HANCOM, INC.'S MOTION
TO DISMISS FOR FAILURE TO STATE A
CLAIM**

Date: April 27, 2017
Time: 9:00 a.m.
Judge: Hon. Jacqueline Scott Corley
Dept.: Ctrm F, 15th Floor

1 Before the Court is Defendant Hancom, Inc.'s Motion to Dismiss for Failure to State a
2 Claim. Having considered the papers and arguments in support of and in opposition to the
3 motion, it is hereby ORDERED that Defendant's Motion to Dismiss is GRANTED. Plaintiff
4 Artifex Software, Inc.'s claim for breach of contract (Count 1) is DISMISSED WITH
5 PREJUDICE. Plaintiff's claim for copyright infringement (Count 2) is DISMISSED IN PART
6 WITH PREJUDICE. The only portion of that claim that is not dismissed is Plaintiff's claim
7 based on distribution and sale of allegedly infringing products in the United States.

8 DATED this _____ day of _March, 2017.

9
10 _____
11 Honorable Jacqueline Scott Corley
12 United States Magistrate Judge
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

McDERMOTT WILL & EMERY LLP
ATTORNEYS AT LAW
MENLO PARK